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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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Eric Cohen-Solal

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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EXAMINER

PHILIPPE, GIMS S

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 09/819,971 | Applicant(s) COHEN-SOLAL ET AL. | |
| | Examiner Gims S. Philippe | Art Unit 2613 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 14th 2006 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-9, 11, 13, 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratz (5982420) in view of Hu et al . (5867584).

Regarding claims 1 and 8, Ratz discloses an apparatus that provides stand-alone video tracking (Ratz: column 1 , lines 59-60). This apparatus comprises "selecting a desired target to be tracked" (Ratz: figure 1 , wherein the target is the object displayed on the video display, column 12, lines 39-45, wherein the selecting is releasing the trigger to

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lock in on the object, the target is the object), switching the automated video tracking system to an automatic mode to initiate a tracking sequence to automatically track the target (Ratz: column 12, lines 39-45, wherein the switching to automatic mode is releasing the trigger on the object, column 3, lines 4-6, wherein the camera automatically follows the object wherever it goes), reacquiring the target in manual mode in response to and during the period of difficulty " (Ratz: column 12, lines 54-58, wherein the manual mode is the manual override mode which allows the user to control the camera to find or reacquire the target), and "switching the automated tracking system to the automatic mode for automatic tracking of the reacquired target without initiating a new tracking sequence" (Ratz:column 12, lines 60-65, wherein switching back to the automatic mode is the user releasing the trigger switch).

Although Ratz fails to show switching to the automatic mode as claimed, Ratz does show disengaging the autotracker if the object encounters a period of difficulty (Ratz: column 13, lines 1-5, wherein the difficulty is the disappearing). Ratz further discloses a manual mode to be used by squeezing the manual override triqqer (Ratz: column 12, lines 54-56).

However, this apparatus lacks calculating a confidence level and warning an operator if the confidence level falls below a predetermined threshold.

Hu teaches that manually tracking objects is tedious and does not produce accurate results (Hu: column 2, lines 25-40).

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To fix this problem, Hu discloses an apparatus that automatically tracks objects until a quality or confidence level falls below a threshold in which the system then warns the user (Hu: column 3, lines 35-40, column 4, lines 14-16, figure 2).

Hu further discloses during the automatic track mode, the automated video tracking system calculates a confidence value indicating a degree of correlation between the tracked target and a previously constructed computer model" (Hu: column 3, lines 35-40, wherein the confidence value is the quality, column 4, lines 1-4, wherein the previously constructed computer model is the file from which the user has to open to begin the tracking procedure) and "warning the user that the automatic track mode is about to fail" (Hu: figures 5-6, column 7, lines 55-67, wherein the warning is the warning message sent to the user indicating the automatic mode is about to fail if no replacements can be found for the window object).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Ratz and add the confidence level and warnings taught by Hu in order to obtain an apparatus that more efficiently and accurately tracks objects.

Regarding claims 2, 5, 9, 13, 16, and 20, Ratz discloses "centering the target in a display of a scene including the target" (Ratz: column 7, lines 45-54, wherein the target is the object, the scene is the fixed pattern, which is centered or displayed on the central region of the display, the input device is the joystick).

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Regarding claim 3, Ratz discloses the switching to automatic mode comprises "releasing control of an input device used to select the target" (Ratz: column 12, lines 39-40, wherein the releasing is releasing the trigger, the input device is the joystick, the target is the object).

Regarding claim 4, Ratz discloses switching from the automatic to the manual mode comprises "controlling an input device used to select the target" (Ratz: column 12, lines 54-60, wherein the controlling is squeezing the trigger which enables the manual override mode and moving the window, the input device is the joystick).

Regarding claim 6, Ratz discloses "releasing control of an input device used to reacquire the desired target" (Ratz: column 12, lines 39-40, wherein the input device is the joystick, releasing control is releasing the trigger switch).

Regarding claims 11 and 18, note the examiners rejections for claims 1 , 3- 4 , and 6 .

4. Claims 10, 12, 14-15, 17, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratz (5982420) in view of Hu et al. (5867584), (hereinafter referred to as "Hu") in further view of Blackshear (511128).

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Regarding claims 10 and 12, note the examiners rejection for claim 1 , and in addition, claims 10 and 12 differ from claim 1 in that claims 10 and 12 further require pan and tilt motors connected to the joystick so the joystick controls the camera through the motors. Blackshear teaches that prior art camera systems have limited pan and tilt movement which could cause an intruder to enter an area undetected (Blackshear: column 2, lines 10-31). Blackshear proposes to fix the above problem by providing a tracking system that controls the pan and tilt movements through the motion of a joystick (Blackshear: figure 3, column 5, lines 39-57).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Ratz, add the confidence level and warnings taught by Hu, and add the pan and tilt movements taught by Blackshear in order to obtain an apparatus that makes tracking an object more efficient by minimizing the manual tracking mode and providing a wider view area by increasing the pan and tilt movements and speeds of the camera.

Regarding claims 14, 17, 19, and 21 , note the examiners rejection for claims 10 and 12.

Regarding claim 15, note the examiners rejection for claims 8 and 10.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri S. Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

March 18, 2006